IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4731 OF 2004

Shri Ashok S/o Sommanna Basargi & Anr. ..Applicants.

V/s.

The State of Maharashtra .. Respondent.

Shri Umesh Mankapure i/by R. V.More for Applicants.
Shri K.V. Saste ,APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : 04.11.2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

2. In so far as, Applicant No.1 is concerned, there is sufficient material on record about his involvement in the commission of the alleged offence. The offence being of serious nature, not a case for grant of bail. His Application is, therefore, rejected.

3. However, so far as Applicant No.2 is concerned, she is a female of 45 years of age. Besides the applicant No.2 is justified in claiming that she may be released on bail on parity in terms of

order dated 5th October, 2004 as passed by this court in Criminal Application No. 4062/2004 in a case of co-accused. The learned APP fairly accepts that Applicant No.2 can be enlarged on bail on parity as co-accused Sou Mahadevi Basargi in criminal case No. 4062/2004, has been released on bail. Accordingly, this Application is allowed only in respect of Applicant No.2 Sou Kashibai W/o. Ashok Basargi on the following terms :-

i. Applicant No. 2 is enlarged on bail in connection with C.R. No. 15/2004 registered with Umadil Police Station, Sangli on executing personal bond in the sum of Rs.15,000/- (Rs. Fifteen thousand only) with one or two local sureties in the like amount.

ii. The applicant shall attend the concerned police station on every Saturday between 10 a.m. to 1 p.m. for a period of six months.

iii. The applicant shall co-operate for early disposal of the trial. If the trial court is of the opinion that the applicant is

unnecessarily delaying the trial, that fact be recorded in the Rozanama, which can be a ground for cancellation of the bail.

iv. The applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

3. Order accordingly.

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